

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

SECOND DAY'S PROCEEDINGS

**Thirtieth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, March 30, 2004

The Senate was called to order at 1:30 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Gautreaux, B	Marionneaux
Bajoie	Gautreaux, N	McPherson
Barham	Hainkel	Michot
Boasso	Heitmeier	Mount
Cain	Holden	Nevers
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—35		

ABSENT

Boissiere	Fontenot
Chaisson	Romero
Total—4	

The President of the Senate announced there were 35 Senators present and a quorum.

Prayer

The prayer was offered by Senator Adley, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Adley, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Introduction of Resolutions,
Senate and Concurrent**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 3—

BY SENATORS THEUNISSEN, BARHAM, CAIN, DUPRE,
ELLINGTON, N. GAUTREAUX, HINES, SCHEDLER, AND SMITH

A RESOLUTION

To designate April 27, 2004 as "FFA Day" at the legislature.

On motion of Senator Theunissen, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 4—

BY SENATOR THEUNISSEN

A RESOLUTION

To express the support of the Louisiana Senate for and to encourage continued participation in the "America's Legislators Back to School Week" slated for September 20-24, 2004, sponsored by the National Conference of State Legislatures (NCSL).

On motion of Senator Theunissen, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 5—

BY SENATORS MOUNT AND CAIN

A RESOLUTION

To commend the players, coaches, and trainers of the 2003-2004 Sulphur High School Boys Basketball Team on their attendance and performance at the Top 28 Boys High School Basketball Tournament.

On motion of Senator Mount, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 6—

BY SENATOR MOUNT

A RESOLUTION

To urge and request the Department of Revenue to study the Internal Revenue Service (IRS) Taxpayer Advocate Service Program and the tax advocacy programs of other states and to report its findings and recommendations to the Louisiana Senate before the 2005 Regular Session convenes.

On motion of Senator Mount, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 7—

BY SENATOR ELLINGTON

A RESOLUTION

To commend and congratulate the employees of the procurement section of the Louisiana Department of Transportation and Development for being honored with the Outstanding Agency Accreditation Achievement Award by the National Institute of Governmental Purchasing.

On motion of Senator Ellington, the resolution was read by title and adopted.

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SENATE RESOLUTION NO. 8—

BY SENATOR SMITH

A RESOLUTION

To recognize and commend Donnie Sebren for his service as a member of the Board of Commissioners for the Sabine River Authority.

On motion of Senator Smith, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 9—

BY SENATOR SMITH

A RESOLUTION

To recognize and commend Randy Ziegler for his service as a member of the Board of Commissioners for the Sabine River Authority.

On motion of Senator Smith, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 10—

BY SENATOR SMITH

A RESOLUTION

To recognize and commend Douglas McLaren for his service as a member of the Board of Commissioners for the Sabine River Authority.

On motion of Senator Smith, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 11—

BY SENATOR HOLDEN

A RESOLUTION

To acknowledge and support the commemoration of the 50th anniversary of the landmark case of *Brown v. Board of Education*.

On motion of Senator Holden, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 12—

BY SENATOR HOLDEN

A RESOLUTION

To commend and congratulate Southern University Coach Pete Richardson, quarterback Quincy Richard, offensive tackle Myniya Smith, and offensive tackle Arnold Sims on receiving All-American awards by the Sheridan Broadcasting Network.

On motion of Senator Holden, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 13—

BY SENATOR HINES

A RESOLUTION

To proclaim April 21, 2004 as American Cancer Society Day in the Louisiana Senate.

On motion of Senator Ellington, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 14—

BY SENATORS MOUNT, HAINKEL, HINES, LENTINI AND SCHEDLER

A RESOLUTION

To urge and request the president of the Senate to establish a committee and appoint the membership thereof to study, review, and make recommendations to revise the Senate Rules of Order.

On motion of Senator Mount, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

SENATE CONCURRENT RESOLUTION NO. 2—

BY SENATOR SMITH

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Hartwell M. "Jerry" Doty, Jr., a prominent political consultant, public opinion specialist, and frequent speaker on Louisiana demography and government.

The resolution was read by title. Senator Smith moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Michot
Bajoie	Gautreaux, B	Mount
Barham	Gautreaux, N	Nevers
Boasso	Heitmeier	Schedler
Cain	Holden	Smith
Cheek	Hollis	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—29		

NAYS

Total—0

ABSENT

Boissiere	Hainkel	McPherson
Chaisson	Irons	Romero
Cravins	Lentini	
Fontenot	Marionneaux	
Total—10		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 3—

BY SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To continue the Governor's Aviation Advisory Commission, as created by Senate Concurrent Resolution 78 of the 1997 Regular Session of the Legislature of Louisiana.

The resolution was read by title. Senator Theunissen moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Gautreaux, B	Malone
Amedee	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Holden	Schedler
Cheek	Hollis	Smith
Dardenne	Jackson	Theunissen
Dupre	Jones	Ullo
Ellington	Kostelka	
Total—29		

NAYS

Total—0

ABSENT

Bajoie	Duplessis	McPherson
Boissiere	Fontenot	Romero
Chaisson	Irons	
Cravins	Marionneaux	
Total—10		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 4—
BY SENATOR N. GAUTREAU

A CONCURRENT RESOLUTION

To declare October, 2004 as "Pregnancy and Infant Loss Awareness Month".

The resolution was read by title. Senator N. Gautreaux moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Michot
Bajoie	Gautreaux, B	Mount
Barham	Gautreaux, N	Nevers
Boasso	Hainkel	Schedler
Cain	Heitmeier	Smith
Cheek	Hollis	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—31		

NAYS

Total—0

ABSENT

Boissiere	Holden	McPherson
Chaisson	Irons	Romero
Fontenot	Marionneaux	
Total—8		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 5—
BY SENATOR N. GAUTREAU

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in consultation with certain others, to study a proposal to allow certain students not initially eligible for a Tuition Opportunity Program for Students [TOPS] award due to specified academic deficiencies to be eligible for an Opportunity Award for not more than six semesters, based on the student meeting certain qualifications at the end of the student's freshman year at an eligible college or university, under certain circumstances.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Education.

SENATE CONCURRENT RESOLUTION NO. 6—
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To recreate the Task Force on Regional and Local Economic Development to review industry attraction, expansion, and retention initiatives at the local and regional levels and to determine appropriate funding levels and revenue sources.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

SENATE CONCURRENT RESOLUTION NO. 7—
BY SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To commend Clifford A. Friedman, superintendent of the Jefferson Davis School System, on the occasion of his retirement.

The resolution was read by title. Senator Theunissen moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Kostelka
Amedee	Fields	Lentini
Bajoie	Gautreaux, B	Malone
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cain	Heitmeier	Nevers

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Cheek
Cravins
Dardenne
Dupre
Total—30

Hollis
Irons
Jackson
Jones
Schedler
Smith
Theunissen
Ullo

NAYS

Total—0

ABSENT

Adley
Boissiere
Chaisson
Total—9

Duplessis
Fontenot
Holden
Marionneaux
McPherson
Romero

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 8— BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To establish the Commission on Men's Health to study and make recommendations relative to improving the health of men living in Louisiana and to require the commission to report such recommendations.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Health and Welfare.

SENATE CONCURRENT RESOLUTION NO. 9— BY SENATOR B. GAUTREAUX

A CONCURRENT RESOLUTION

To add two members to the Louisiana State Seafood Industry Advisory Board increasing the size of the board from twenty-three to twenty-five voting and non-voting members.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 10— BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To designate February 6th, Ronald Reagan's birthday as the annual "Ronald Reagan Day" in Louisiana.

The resolution was read by title. Senator Hainkel moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Hollis	Schedler
Cheek	Irons	Smith

Dardenne
Duplessis
Dupre
Total—32

Jackson
Jones
Kostelka
Theunissen
Ullo

NAYS

Total—0

ABSENT

Boissiere
Chaisson
Cravins
Total—7

Fontenot
Holden
Marionneaux
Romero

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 11— BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of legendary political icon, Christian Faser, Jr.

The resolution was read by title. Senator Hainkel moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	

Total—34

NAYS

Total—0

ABSENT

Boissiere
Chaisson
Total—5

Fontenot
Holden
Romero

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 12—
BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To require the four state public retirement systems: Louisiana State Employees' Retirement System, Teachers Retirement System of Louisiana, Louisiana School Employees' Retirement System, and Louisiana State Police Retirement System to comply with the state of Louisiana policies, procedures and regulations governing travel, contracts and procurement.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Retirement.

SENATE CONCURRENT RESOLUTION NO. 13—
BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To study the concept of creating a new state public retirement system for all state employees hired after July 1, 2006.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Retirement.

SENATE CONCURRENT RESOLUTION NO. 14—
BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To direct the office of the legislative auditor to do an in depth financial and compliance audit on the relationships between the state public retirement systems board and the investment advisors, consultants and managers.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Retirement.

SENATE CONCURRENT RESOLUTION NO. 15—
BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To provide for a study of the benefits, risks and issues involved in, and the feasibility of establishing a defined contribution plan in the four state public retirement systems: Louisiana State Employees' Retirement System, Teachers' Retirement System of Louisiana, Louisiana School Employees' Retirement System, and Louisiana State Police Retirement System.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Retirement.

SENATE CONCURRENT RESOLUTION NO. 16—
BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To urge and request judges who sentence juveniles to the custody of the office of youth development to require immunization for Hepatitis B as a condition of sentencing.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Health and Welfare.

SENATE CONCURRENT RESOLUTION NO. 17—
BY SENATOR ULLO

A CONCURRENT RESOLUTION

To recognize and acknowledge the significant contributions of the community and technical colleges in Louisiana to the education and training of students and workers, and to designate the month

of April as "Community and Technical College Month" in Louisiana.

The resolution was read by title. Senator Ullo moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Gautreaux, B	Marionneaux
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cain	Heitmeier	Nevers
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—33		

NAYS

Total—0

ABSENT

Boissiere	Fontenot	McPherson
Chaisson	Holden	Romero
Total—6		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 18—
BY SENATOR KOSTELKA

A CONCURRENT RESOLUTION

To recognize and commend Forrest Harvey for a lifetime of accomplishments and contributions as a volunteer for youth sports programs and for committed service to his community.

The resolution was read by title. Senator Kostelka moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Gautreaux, B	Marionneaux
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cain	Heitmeier	Nevers
Cheek	Hollis	Schedler
Cravins	Irons	Smith

Dardenne
Duplessis
Total—33

Jackson
Jones

Theunissen
Ullo

NAYS

Total—0

ABSENT

Boissiere
Chaisson
Total—6

Fontenot
Holden

McPherson
Romero

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 19— BY SENATOR KOSTELKA

A CONCURRENT RESOLUTION

To recognize and commend the Group Study Exchange program of the Rotary Foundation, and its participants on its unique cultural and vocational exchange opportunities for young business and professional men and women, and to record their notable accomplishments and manifold contributions to professionalism in Louisiana and abroad, as well as the generous and admirable way in which they devote their energy and talents to the full development of making professional men and women into informed, capable, and productive citizens.

The resolution was read by title. Senator Kostelka moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie
Barham
Boasso
Cain
Cheek
Cravins
Dardenne
Duplessis
Dupre
Total—34

Ellington
Fields
Gautreaux, B
Gautreaux, N
Hainkel
Heitmeier
Hollis
Irons
Jackson
Jones
Kostelka
Lentini

Malone
Marionneaux
McPherson
Michot
Mount
Nevers
Schedler
Smith
Theunissen
Ullo

NAYS

Total—0

ABSENT

Boissiere
Chaisson
Total—5

Fontenot
Holden

Romero

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 20— BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to appropriate and expedite funding for the development of a hurricane evacuation route in Louisiana and Mississippi.

The resolution was read by title. Senator Nevers moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie
Barham
Boasso
Cain
Cheek
Cravins
Dardenne
Duplessis
Dupre
Total—34

Ellington
Fields
Gautreaux, B
Gautreaux, N
Hainkel
Heitmeier
Hollis
Irons
Jackson
Jones
Kostelka
Lentini

Malone
Marionneaux
McPherson
Michot
Mount
Nevers
Schedler
Smith
Theunissen
Ullo

NAYS

Total—0

ABSENT

Boissiere
Chaisson
Total—5

Fontenot
Holden

Romero

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 21— BY SENATOR CAIN

A CONCURRENT RESOLUTION

To recognize and commend living legend, Dale Brown, for twenty-five years of service to the basketball program at Louisiana State University and to honor his many contributions to the university.

The resolution was read by title. Senator Cain moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie

Ellington
Fields
Gautreaux, B
Gautreaux, N

Malone
Marionneaux
McPherson
Michot

Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Boissiere	Fontenot	Romero
Chaisson	Holden	
Total—5		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 22—
BY SENATOR MALONE

A CONCURRENT RESOLUTION

To urge and request the commissioner of conservation to seek agreement with bordering states, for their providing of timely notification to Louisiana prior to certain oil and gas activity near the state boundary.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 23—
BY SENATOR CAIN

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to inform the public of the requirements of R.S. 32:71(B) requiring slower moving traffic to drive in the right-hand lane on multilane highways, and to request state police to enforce the penalties for violation as provided in law.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

SENATE CONCURRENT RESOLUTION NO. 24—
BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the governor to adopt a policy that ensures the public's right to access and use, for both navigation and fishing, naturally navigable waterways in the state.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 25—
BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request The Honorable Kathleen Babineaux Blanco, Governor of the state of Louisiana, to direct the state land office to complete within the next four years an inventory of the waterbottoms in this state, and to provide sufficient funding

through appropriations or other means for the accomplishment of this urgent and crucial task.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 26—
BY SENATORS MICHOT AND SMITH

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to replace the term "visitation" when referring to the time a parent spends with their child in Louisiana laws.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Judiciary A.

SENATE CONCURRENT RESOLUTION NO. 27—
BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to study the feasibility of increasing the speed limits on certain two-lane roads.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

SENATE CONCURRENT RESOLUTION NO. 28—
BY SENATOR MICHOT

A CONCURRENT RESOLUTION

To encourage the private sector to increase the number of options for long-term care and to urge Louisiana insurance companies to increase the options available for coverage of long-term care.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Health and Welfare.

SENATE CONCURRENT RESOLUTION NO. 29—
BY SENATOR SMITH

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to preserve Louisiana's sovereignty related to public expressions of religious faith within the state of Louisiana.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

SENATE CONCURRENT RESOLUTION NO. 30—
BY SENATOR SMITH

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to study the possible migration of triploid grass carp out of Saline Lake.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 31— BY SENATOR HOLDEN

A CONCURRENT RESOLUTION

To urge and request the state Department of Education to provide to the Louisiana Legislature, through the members of the Senate Committee on Education and the House Committee on Education, a report on school performance, as measured by the school and district accountability program, excluding the effect of the test results of students who are classified as special education students, other than those that are gifted and talented.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Education.

SENATE CONCURRENT RESOLUTION NO. 32— BY SENATOR HINES

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Mrs. Marjorie Howell Funderburk McKeithen, former first lady to the late Governor John McKeithen and mother of Secretary of State Fox McKeithen.

The resolution was read by title. Senator Hainkel moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Boissiere	Fontenot	Romero
Chaisson	Holden	
Total—5		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 33— BY SENATOR HINES

A CONCURRENT RESOLUTION

To express the preference of the Louisiana Legislature to fully fund the Louisiana Senior Prescription Program in the governor's office of elderly affairs.

The resolution was read by title. Senator Hines moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Boissiere	Fontenot	Romero
Chaisson	Holden	
Total—5		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 34— BY SENATORS ULLO AND HOLLIS

A CONCURRENT RESOLUTION

To urge and request the governor and the Louisiana Department of Transportation and Development to make every effort to expedite the proposed widening of the Huey P. Long Bridge and improvements to the eastbank and westbank roadway approaches.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

SENATE CONCURRENT RESOLUTION NO. 35— BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To urge and request the East Baton Rouge Parish School Board to direct all school system employees to follow all state laws and rules and school board policies governing assignment of bus routes and requirements for in-service training of school bus operators.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Retirement.

SENATE CONCURRENT RESOLUTION NO. 36—
BY SENATOR N. GAUTREAUX**A CONCURRENT RESOLUTION**

To urge and request the Department of Health and Hospitals to study the feasibility and the fiscal impact of raising the Medicaid eligibility income level to one hundred percent of the federal poverty level for those with disabilities.

On motion of Senator N. Gautreaux, the resolution was read by title and referred to the Committee on Health and Welfare.

SENATE CONCURRENT RESOLUTION NO. 37—
BY SENATOR SMITH**A CONCURRENT RESOLUTION**

To urge and request the secretary of the Louisiana Department of Transportation and Development to consider the training of certain department employees to assist state police in accident investigation and reconstruction, specifically concerning the road operating environment.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

Rules Suspended

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Introduction of Senate Bills
and Joint Resolutions**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 740—
BY SENATOR FIELDS**AN ACT**

To enact R.S. 17:7(13), relative to the duties, functions, and responsibilities of the State Board of Elementary and Secondary Education; to provide with regard to the development of certain curricular elements; to provide with regard to inclusion of certain topics; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Education.

**House Concurrent Resolutions
on Second Reading**

The following House Concurrent Resolutions were read and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 7—
BY REPRESENTATIVE ODINET**A CONCURRENT RESOLUTION**

To commend Phyllis Diecidue for receiving the Milken Family Foundation National Educator Award and for her dedicated service to the students of St. Bernard Parish.

The resolution was read by title. Senator Boasso moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cain	Hollis	Nevers
Cheek	Irons	Schedler
Cravins	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Total—33		

NAYS

Total—0

ABSENT

Boissiere	Fontenot	Holden
Chaisson	Heitmeier	Romero
Total—6		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 11—
BY REPRESENTATIVE FRITH**A CONCURRENT RESOLUTION**

To commend Vermilion Catholic High School upon winning the Class 1A State Football Championship.

The resolution was read by title. Senator N. Gautreaux moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Gautreaux, B	Marionneaux
Barham	Gautreaux, N	McPherson
Boasso	Hainkel	Michot
Cain	Heitmeier	Mount
Cheek	Hollis	Nevers
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—33		

NAYS

Total—0

ABSENT

Boissiere	Fontenot	Romero
Chaisson	Holden	Schedler

Total—6

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 16—

BY REPRESENTATIVE LANCASTER AND SENATOR HAINKEL

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of the Honorable William H. Byrnes III, chief judge of the 4th Circuit Court of Appeal and a former state representative, and to recognize his contributions to the state of Louisiana.

The resolution was read by title. Senator Hainkel moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	

Total—34

NAYS

Total—0

ABSENT

Boissiere	Fontenot	Romero
Chaisson	Holden	

Total—5

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 19—

BY REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

To Recognize May 5, 2004, as State Employee Recognition Day.

The resolution was read by title. Senator Smith moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	

Total—34

NAYS

Total—0

ABSENT

Boissiere	Fontenot	Romero
Chaisson	Holden	

Total—5

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 21—

BY REPRESENTATIVES FLAVIN, FRITH, GEYMAN, E. GUILLORY, HILL, JOHNS, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Robert William Clements of Lake Charles.

The resolution was read by title. Senator Theunissen moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Gautreaux, B	Marionneaux
Bajoie	Gautreaux, N	McPherson
Barham	Hainkel	Michot
Boasso	Heitmeier	Mount
Cain	Hollis	Nevers
Cheek	Irons	Schedler
Cravins	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo

Total—33

2nd DAY'S PROCEEDINGS

Page 11 SENATE

March 30, 2004

NAYS

Total—0

ABSENT

Boissiere	Fields	Holden
Chaisson	Fontenot	Romero
Total—6		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 26— BY REPRESENTATIVE STRAIN

A CONCURRENT RESOLUTION

To recognize September of 2004 as Parent Teacher Association Month in Louisiana.

The resolution was read by title. Senator Schedler moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Boissiere	Fontenot	Romero
Chaisson	Holden	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 27— BY REPRESENTATIVE SMILEY

A CONCURRENT RESOLUTION

To commend Josh Burton upon receiving the Milken Family Foundation National Educator Award and for his dedicated service to the students of Livingston Parish.

The resolution was read by title. Senator Amedee moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Boissiere	Fontenot	Romero
Chaisson	Holden	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 30— BY REPRESENTATIVE MONTGOMERY

A CONCURRENT RESOLUTION

To commend Chief Master Sergeant Charlie Sherman Poole who gave his life for his country in the war in Vietnam and to recognize his bravery and sacrifice for his nation.

The resolution was read by title. Senator Adley moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Boissiere	Fontenot	Romero
Chaisson	Holden	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 39—
BY REPRESENTATIVE SCHNEIDER AND CROWE AND SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Mrs. Marilyn Faust of Slidell.

The resolution was read by title. Senator Schedler moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Boissiere	Fontenot	Romero
Chaisson	Holden	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 40—
BY REPRESENTATIVE HONEY

A CONCURRENT RESOLUTION

To commend the Southern University Laboratory School girls basketball team upon winning the high school Class 1A state basketball championship.

The resolution was read by title. Senator Fields moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Boissiere	Fontenot	Romero
Chaisson	Holden	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 41—
BY REPRESENTATIVE HONEY

A CONCURRENT RESOLUTION

To commend the Southern University Laboratory School boys basketball team upon winning the high school Class 1A state championship.

The resolution was read by title. Senator Fields moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Boissiere	Fontenot	Romero
Chaisson	Holden	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 43—
BY REPRESENTATIVE HONEY

A CONCURRENT RESOLUTION

To commend the Louisiana State University Laboratory School boys basketball team upon winning the high school Class 2A state championship.

The resolution was read by title. Senator Dardenne moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Gautreaux, N	McPherson
Barham	Hainkel	Michot
Boasso	Heitmeier	Mount
Cain	Hollis	Nevers
Cheek	Irons	Schedler
Cravins	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Total—33		

NAYS

Total—0

ABSENT

Boissiere	Fontenot	Holden
Chaisson	Gautreaux, B	Romero
Total—6		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 45—
BY REPRESENTATIVE LAMBERT

A CONCURRENT RESOLUTION

To commend Amanda Mayeaux upon receiving the Milken Family Foundation National Educator Award and for her dedicated service to the students of Ascension Parish.

The resolution was read by title. Senator Amedee moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Boissiere	Fontenot	Romero
Chaisson	Holden	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 47—
BY REPRESENTATIVE WINSTON

A CONCURRENT RESOLUTION

To proclaim April 22, 2004, as Take Our Daughters and Sons to Work Day and to encourage whole communities to participate in the day's activities.

The resolution was read by title. Senator Hainkel moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Boissiere	Fontenot	Romero
Chaisson	Holden	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 49—

BY REPRESENTATIVES E. GUILLORY, FLAVIN, GEYMAN, JOHNS, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN

A CONCURRENT RESOLUTION

To commend the Lake Charles-Boston High School Boys Basketball team upon winning the Class 3A state championship.

The resolution was read by title. Senator Mount moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Boissiere	Fontenot	Romero
Chaisson	Holden	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 50—

BY REPRESENTATIVE JANE SMITH

A CONCURRENT RESOLUTION

To recognize Travis Feaster for his many outstanding accomplishments during his years at Benton High School.

The resolution was read by title. Senator Adley moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Boissiere	Fontenot	Romero
Chaisson	Holden	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 51—

BY REPRESENTATIVE JANE SMITH

A CONCURRENT RESOLUTION

To commend Will Slack of Stockwell Place Elementary School in Bossier City for qualifying for the State Geography Bee to be held on Friday, April 2, 2004.

The resolution was read by title. Senator Adley moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Boissiere	Fontenot	Romero
Chaisson	Holden	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 54—
BY REPRESENTATIVE DORSEY

A CONCURRENT RESOLUTION

To recognize in Louisiana the month of April every year as "Crime Victims Awareness and Memorial Month" in order to promote public awareness of and educate the public on the need to prevent violent crimes against women.

The resolution was read by title. Senator Fields moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Cain	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Boissiere	Fontenot	Romero
Chaisson	Holden	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

FINANCE

Senator Heitmeier, Chairman on behalf of the Committee on Finance, submitted the following report:

March 30, 2004

To the President and Members of the Senate:

I am directed by your Committee on Finance to submit the following report:

SENATE BILL NO. 303—
BY SENATOR HOLDEN

AN ACT

To amend and reenact that part of Section 9(B)(14) of Act 1134 of the 2003 Regular Session of the Legislature which is applicable to the allocation and distribution of funds in East Baton Rouge Parish, relative to the Revenue Sharing Fund; to provide with respect to certain distributions in East Baton Rouge Parish for Fiscal Year 2003-2004; to provide for the retroactive application of this Act; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 463—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 17:3803(B)(1)(h), relative to the treasurer's investment authority of Louisiana Education Quality Trust Fund monies; to provide for the investment of Louisiana Education Quality Trust Fund monies in certain permitted investments; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 503—
BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES ALARIO AND SALTER

AN ACT

To amend and reenact R.S. 39:330.1(A) and to enact R.S. 39:321(E), (F), (G), and (H), relative to state property control; authorizes the state to sell surplus movable property through the use of certain electronic technology; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 504—
BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES ALARIO AND SALTER

AN ACT

To amend and reenact R.S. 36:8(B)(1) and to enact R.S. 36:8(B)(2)(f), relative to fiscal oversight and program evaluation; to provide for certain annual reporting requirements; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 505—
BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES ALARIO AND SALTER

AN ACT

To amend and reenact R.S. 39:98.3(A), relative to certain funds derived from the tobacco settlement; to provide with respect to actual earnings from interest, dividends, and capital gains in the Millennium Trust; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 506—

BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES
ALARIO AND SALTER

AN ACT

To amend and reenact R.S. 17:421.7(A), relative to the Support Education in Louisiana First Fund; to provide monies remaining in the fund to retain their allocation as provided by law; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 508—

BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES
ALARIO AND SALTER

AN ACT

To amend and reenact R.S. 39:95.5(C), relative to the Tobacco Settlement Financing Corporation; to provide relative to meetings of the board; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 509—

BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES
ALARIO AND SALTER

AN ACT

To enact R.S. 42:461, relative to payroll withholdings; to provide for payment of employee compensation; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 524—

BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES
ALARIO AND SALTER

AN ACT

To amend and reenact R.S. 33:108, 131, 135, and 136, R.S. 38:90.4(B)(1) and (2), R.S. 39:21.3(A)(2)(b), (B)(2)(b), (C)(2)(b), (D)(2)(b), (E)(2)(b), and (F)(2)(b), and R.S. 56:1845(C), 1846(A), and 1849(B), all relative to the state planning office/division of administration; to provide with respect to the organization of the division of administration; to correct references to the state planning office; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Heitmeier asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just reported by Committees.

SENATE BILL NO. 303—

BY SENATOR HOLDEN

AN ACT

To amend and reenact that part of Section 9(B)(14) of Act 1134 of the 2003 Regular Session of the Legislature which is applicable to the allocation and distribution of funds in East Baton Rouge Parish, relative to the Revenue Sharing Fund; to provide with respect to certain distributions in East Baton Rouge Parish for Fiscal Year 2003-2004; to provide for the retroactive application of this Act; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 303 by Senator Holden

AMENDMENT NO. 1

On page 1, between lines 11 and 12, insert the following:

“* * *

AMENDMENT NO. 2

On page 2, delete line 15, and insert the following: “Zachary Constitutional School--5 mills/November 15, 2003”

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 463—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 17:3803(B)(1)(h), relative to the treasurer’s investment authority of Louisiana Education Quality Trust Fund monies; to provide for the investment of Louisiana Education Quality Trust Fund monies in certain permitted investments; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 503—

BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES
ALARIO AND SALTER

AN ACT

To amend and reenact R.S. 39:330.1(A) and to enact R.S. 39:321(E), (F), (G), and (H), relative to state property control; authorizes the state to sell surplus movable property through the use of certain electronic technology; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 504—

BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES
ALARIO AND SALTER

AN ACT

To amend and reenact R.S. 36:8(B)(1) and to enact R.S. 36:8(B)(2)(f), relative to fiscal oversight and program evaluation; to provide for

certain annual reporting requirements; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 505—
BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES ALARIO AND SALTER

AN ACT

To amend and reenact R.S. 39:98.3(A), relative to certain funds derived from the tobacco settlement; to provide with respect to actual earnings from interest, dividends, and capital gains in the Millennium Trust; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 506—
BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES ALARIO AND SALTER

AN ACT

To amend and reenact R.S. 17:421.7(A), relative to the Support Education in Louisiana First Fund; to provide monies remaining in the fund to retain their allocation as provided by law; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 508—
BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES ALARIO AND SALTER

AN ACT

To amend and reenact R.S. 39:95.5(C), relative to the Tobacco Settlement Financing Corporation; to provide relative to meetings of the board; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 508 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, change "39:95.5(C)" to "39:99.5(C)"

AMENDMENT NO. 2

On page 2, line 3, after "board shall meet" insert "no less than"

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 509—
BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES ALARIO AND SALTER

AN ACT

To enact R.S. 42:461, relative to payroll withholdings; to provide for payment of employee compensation; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 524—
BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES ALARIO AND SALTER

AN ACT

To amend and reenact R.S. 33:108, 131, 135, and 136, R.S. 38:90.4(B)(1) and (2), R.S. 39:21.3(A)(2)(b), (B)(2)(b), (C)(2)(b), (D)(2)(b), (E)(2)(b), and (F)(2)(b), and R.S. 56:1845(C), 1846(A), and 1849(B), all relative to the state planning office/division of administration; to provide with respect to the organization of the division of administration; to correct references to the state planning office; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 524 by Senator Heitmeier

AMENDMENT NO. 1

On page 5, line 6, change "director" to "commissioner"

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

Rules Suspended

Senator Theunissen asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 563 from the Committee on Education.

SENATE BILL NO. 563—
BY SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(vi), and (B)(2)(b)(vi) and (c)(vi), relative to the Tuition Opportunity Program for Students; to include certain agriscience courses as a science option in the core curriculum; and to provide for related matters.

On motion of Senator Theunissen, the bill was read by title and withdrawn from the files of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Boissiere	1 Day	Chaisson	1 Day
Fontenot	1 Day	Romero	1 Day

Adjournment

Senator Bajoie moved that the Senate adjourn until Wednesday, March 31, 2004, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 3:00 o'clock P.M. on Wednesday, March 30, 2004.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk

